

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

ROBERT E. COLE
ROBERT E. COLE, P.C.
ATTORNEY I.D. NO. 73263
437 CHESTNUT STREET, SUITE 218
PHILADELPHIA, PA 19106
(215) 922-2050

Attorney For Plaintiff

OWEN J. ROGAL, D.D.S., P.C. :
d/b/a THE PAIN CENTER
501-07 SOUTH 12TH STREET
PHILADELPHIA, PA 19147

Plaintiff :

V. : NO. 3:06cv728-MHT

SKILSTAF, INC. :
P.O. BOX 729
ALEXANDER CITY, AL 35011

Defendant :

**JOINT MOTION FOR AN EXTENSION OF TIME TO AUGUST 29, 2007 TO FILE
PROPOSED JURY INSTRUCTIONS, VOIR DIRE QUESTIONS AND MOTIONS IN
LIMINE**

Defendant Skilstaf, Inc. ("Defendant") and Plaintiff Owen J. Rogal, D.D.S., P.C. ("Plaintiff") (collectively, "the parties"), respectfully move the Court to grant an order permitting them an extension to August 29, 2007 to file proposed Jury Instructions, Voir Dire Questions and Motions in Limine. As grounds for this motion, the parties state as follows:

1. On October 12, 2006, the Court entered a Uniform Scheduling Order in each of the above-styled cases. Section 14 of the Court's Uniform Scheduling Order requires the parties to file the indicated documents within fourteen (14) days prior to trial, which is scheduled for September 5, 2007.

2. Plaintiff is a corporation with its principal place of business in Philadelphia, Pennsylvania.

3. Defendant is an Alabama corporation with its principal place of business in Alexander City, Alabama.

4. To date, the parties' attorneys have engaged in good faith settlement negotiations. Specifically, the parties' attorneys have corresponded through the mail and have spoken on the telephone in an attempt to settle the disputes that exist between them. These settlement negotiations are ongoing and counsel believe that settlement will occur in the immediate future.

5. In order to promote the distinct possibility of settlement, counsel have agreed to delay, with the Court's approval, the filing of labor-intensive jury instructions, voir dire questions and motions in limine so as to increase the appeal of settlement between their respective clients.

WHEREFORE, the parties hereby respectfully request the Court grant an extension of time to August 29, 2007 to file proposed jury instructions, voir dire questions and motions in limine.

Respectfully submitted,

s/Robert E. Cole

Robert E. Cole
437 Chestnut Street, Suite 218
Philadelphia, PA 19106
Telephone: (215) 922-2050
Facsimile: (215) 922-2006
recolesq6@juno.com
Attorney for Plaintiff

s/Charles A. Stewart III

Charles A. Stewart III (STE067)
Bradley Arant Rose & White LLP
The Alabama Center for Commerce
401 Adams Avenue, Suite 780
Montgomery, AL 36104
Telephone: (334) 956-7700
Facsimile: (334) 956-7701
cstewart@bradleyarant.com

s/Amelia T. Driscoll

Amelia T. Driscoll (DRI016)
Bradley Arant Rose & White LLP
1819 Fifth Avenue North
Birmingham, AL 35203-2104
Telephone: (205) 521-8000
Facsimile: (205) 521-8800
adriscoll@bradleyarant.com
Attorneys for Defendant
Skilstaf, Inc.

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ROBERT E. COLE Attorney For Plaintiff
ROBERT E. COLE, P.C.
ATTORNEY I.D. NO. 73263
437 CHESTNUT STREET, SUITE 218
PHILADELPHIA, PA 19106
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SKILSTAF, INC. :

VERIFICATION OF SERVICE

Robert E. Cole, Esquire, attorney for plaintiff, hereby verifies that on the 22nd day of August, 2007, he electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing as follows:

Amelia T. Driscoll, Esquire
Bradley Arant et al.
1819 Fifth Avenue North
Birmingham, AL 35203-2104

Robert E. Cole, Esquire, attorney for plaintiff, hereby verifies that on the 22nd day of August, 2007, he served upon Jeanne L. Bakker, Esquire, attorney for defendant above, a true and correct copy of the foregoing by first class mail, postage prepaid to the following address:

Montgomery, McCracken et al.
123 South Broad Street
Philadelphia, PA 19109

s/Robert E. Cole
Robert E. Cole, Esquire
Attorney for Plaintiff
Atty. I.D. No. 73263
437 Chestnut Street, Suite 218
Philadelphia, PA 19106
(215) 922-2050
recolesq6@juno.com

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ATTORNEY I.D. NO. 73263
437 CHESTNUT STREET, SUITE 218
PHILADELPHIA, PA 19106
(215) 922-2050

Attorney For Plaintiff

OWEN J. ROGAL, D.D.S., P.C. :
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Plaintiff :

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SKILSTAF, INC. :
P.O. BOX 729 :
ALEXANDER CITY, AL 35011 :

Defendant :

ORDER

AND NOW, this day of , 2007, upon
consideration of joint Motion, it is hereby **ORDERED and DECREED**
that the deadline for filing Jury Instructions, Voir Dire
Questions and Motions in Limine is extended to August 29, 2007.

BY THE COURT:

J.